

Marin County Community Development Agency

Alex Hinds, Director

DESIGN REVIEW FACT SHEET

DEFINITION

Design review consists of discretionary review of plans and proposals for land use, building design, site development and signage to promote, preserve and enhance the visual quality and character of Marin County. Design review is required for all commercial, office, industrial, mixed-use and most residential construction. Some land use and development proposals may be exempted from the design review process, such as single-family residences not in a planned zoning district and less than 4,000 square feet in size and 30 feet in height, agricultural buildings and improvements located at least 300 feet from any property line or street, emergency repair work and some signs.

Work determined by the Community Development Director to be minor or incidental and within the intent and objectives of design review may also be processed as a design review exemption. Examples of projects which may be eligible for a design review exemption include minor additions to a single-family residence or other buildings, conversion of a garage into a guest house, decks, and below-grade pools. A design review exemption is processed as an administrative action and the review procedure is not as extensive as for design review.

The Director shall act on design review applications unless the Director finds that significant policy questions are at issue, or that substantial public controversy has been generated by the application, or the application is submitted concurrently with another permit application that requires a public hearing. If the Director makes any of the above findings, the design review will be referred to the Planning Commission for action.

TIME FRAME FOR PROCESSING

Generally, action is taken on a design review application within two or three weeks from the date when the application is deemed complete. Action on a design review exemption application is generally taken within one to three weeks from the date when the application is submitted.

APPLICATION PROCESS

- STEP 1** SUBMIT APPLICATION AT ZONING COUNTER - The submittal requirements for a design review or design review exemption application are listed on the separate design review supplemental checklist. Please check with the counter planner if you have any questions regarding any of these items. Incomplete or unclear applications will not be accepted for processing.
- STEP 2** STAFF APPLICATION PROCESSING - A planner will be assigned to process your application. Further processing is as follows, depending on the type of application:
1. DESIGN REVIEW EXEMPTION - The planner will review your application for completeness, and if complete, review the merits of your project. If your project is located within the purview of a homeowner's association (i.e. Kent Woodlands Property Owners Association, Bel Marin Keys Community Service District, etc.), a letter of project approval will be required from that group on your project. Action on a design review exemption is taken administratively. (Skip to Step 5.)

APPLICATION PROCESS (continued)

2. **DESIGN REVIEW** - the planner will transmit your plans, and any other pertinent materials, to relevant public agencies, such as the Department of Public Works, Fire Department, and when applicable, to the local design review board for their review and comments.

If a design review board is to review your project, you will be notified of the person to contact, the location and the tentative date of the meeting when your project will be on the agenda. Your attendance is encouraged.

STEP 3 DETERMINATION OF COMPLETENESS - The planner assigned to your project will review your design review application for completeness. State law requires that staff determine whether the application is complete within 30 days from submittal. You will be sent a Notice of Project Status informing you whether your application is complete or incomplete, and, if incomplete, what items must be submitted before processing can begin.

STEP 4 PUBLIC NOTICE - Once it has been determined that a complete application has been submitted, a notice will be sent to the owners of all properties within 300 feet of your property. A notice for an administrative action will state the date a decision will be reached by the Director. If a public hearing will be held, the notice will state the date, time and place for the hearing.

STEP 5 ACTION - The Director can act to approve, approve with conditions, or deny your design review application. For design review exemption requests, the Director can act to approve or deny your application. Denial of a design review exemption request means that a project is not exempt from design review but may be processed for approval under a design review application. In the case of a design review application, the acting official will take into account any information or comments from relevant departments, agencies, design review boards and the general public. If a public hearing is held, the Planning Commission will also consider public testimony.

STEP 6 APPEAL - The actions of the Director are final unless appealed in writing at the Zoning Counter within five (5) working days from the date of action. The Planning Commission will act to sustain, modify, or overrule the previous action. Action taken by the Planning Commission may be appealed to the Board of Supervisors. Check at the Zoning Counter regarding applicable fees and other details of the appeal process.

FOR FURTHER INFORMATION

- Visit the Marin County Community Development Agency -- Planning Department Zoning Counter at the Civic Center, Room 308, San Rafael, California, Monday through Friday (closed holidays), 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 4 p.m., or call (415) 499-6269.
- See Marin County Zoning Ordinance, Chapter 22.82.